



WESTFIELD-WASHINGTON
ADVISORY PLAN COMMISSION

September 6, 2016

1609-PUD-18

Exhibit 1

Docket Number:	1609-PUD-18 (Ordinance No. 16-34)
Petitioner:	Heather Raymond by Perma Pools Corp.
Request:	An amendment to the Enclave and Springs Planned Unit Development (PUD) District to modify the minimum rear yard building setback line for a swimming pool from twenty-five (25) to fifteen (15) feet.
Current Zoning:	The Enclave & Springs PUD District (Ordinance 13-16)
Current Land Use:	Single Family Residential
Zoning History:	1305-PUD-04, PUD District (Ord. 13-16) (10/14/13) 1401-SPP-02, Primary Plat (2/3/14) 1401-DP-03, Overall Development Plan (2/3/14) 1406-SFP-21, Secondary Plat (5/20/14) 16-P-012-556, Pool Permit – Pending
Exhibits:	1. Staff Report 2. Location Map 3. Site Plan 4. PUD Development Standards Matrix 5. Amendment Ordinance
Staff Reviewer:	Daine Crabtree, Associate Planner

PETITION HISTORY

This petition is scheduled to receive its public hearing at the September 6, 2016, Plan Commission meeting. Subject to action by the Plan Commission, this petition is anticipated to be eligible for Council adoption at the September 12, 2016, Council meeting.

PROJECT OVERVIEW

Public Hearing: The petitioner is requesting an amendment to The Enclave and Springs PUD District Ordinance 13-16 (the "PUD Ordinance") for the property located at 15807 Longship Court within The Springs at Viking Meadows subdivision, which is located on the northwest corner of 156th Street and Oak Ridge Road (see **Exhibit 2**).

Amendment Request: The petitioner is requesting an amendment to modify the minimum rear yard building setback from twenty-five (25) to fifteen (15) feet to accommodate a proposed swimming pool (see **Exhibit 3**).

Article 6.1(G)(3) Accessory Use and Building Standards requires that swimming pools "shall be required to meet the same minimum Building Setback Line as the Principal Building to which they are accessory". The

PUD Ordinance (Exhibit C of the PUD Ordinance attached as **Exhibit 3**) establishes the minimum rear yard building setback line as twenty-five (25) feet.

The petitioner's proposed swimming pool has a minimum rear yard setback of fifteen (15) feet. As a result, this amendment is required in order to accommodate the proposed swimming pool because the property is located within a PUD District. The proposed swimming pool does not encroach into any easements and would otherwise comply with the applicable ordinances.

PROCEDURAL

Public Hearing:

Amendments to a Planned Unit Development District are required to be considered at a public hearing by the Plan Commission. The public hearing for this petition is scheduled for the September 6, 2016, Plan Commission meeting. Notice of the public hearing was provided in accordance with Indiana law.

Statutory Considerations:

Indiana Code 36-7-4-603 states that in the consideration of zoning ordinance amendments and zone map changes that reasonable regard shall be paid to:

1. The Comprehensive Plan.
2. Current conditions and the character of current structures and uses.
3. The most desirable use for which the land is adapted.
4. The conservation of property values throughout the jurisdiction.
5. Responsible growth and development.

DEPARTMENT COMMENTS

1. **Action: Forward a recommendation to the City Council.**
2. **Recommendation: If the Plan Commission is otherwise satisfied with the proposed ordinance, then the Department recommends forwarding 1609-PUD-18 (Ordinance No. 13-16) to the City Council with a favorable recommendation.**
3. If any Plan Commission member has questions prior to the meeting, then please contact Daine Crabtree at 317-416-2586 or dcrabtree@westfield.in.gov